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May 27, 2022

VIA ECF & EMAIL

The Honorable Judge Cathy Seibel
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Brian Capellan, 18-cr-636 (CS)*

Dear Honorable Judge Seibel:

I write to respectfully request that the Court modify Mr. Capellan's supervised release conditions to permit him to use medical marijuana with a prescription.

Mr. Capellan made his initial appearance on a supervised release violation before Your Honor on March 22, 2022. At that time, he entered an admission to the specifications and the case was adjourned until June 27, 2022 for sentencing on the violations. At that appearance, I raised the issue of Mr. Capellan being permitted to use medical marijuana with a prescription. Your Honor requested that he provide the documentation to his United States Probation Officer for his review.

Mr. Capellan provided that documentation and his Probation Officer, Michael Melaika, who has had an opportunity to review and verify that information. I have consulted with Officer Melaika who does not object to Mr. Capellan's supervision conditions being modified to permit the use of medical marijuana with a prescription. I have consulted with the assigned Assistant United States Attorney Christopher Brumwell who takes no position on this request.

Mr. Capellan respectfully request that Your Honor modify his supervised release conditions to permit him to use medical marijuana with a prescription. Thank you for your time and consideration of this matter.

Respectfully submitted,


Elizabeth K. Quinn
Assistant Federal Defender

cc: Christopher Brumwell, AUSA
Michael Melaika, USPO